Congresswoman Linda Sánchez, a member of the Judiciary Committee, today criticized the Republican Leadership for the egregious manner they used to bring the "Protection of Lawful Commerce in Arms Act (H.R. 1036)" to a vote in the U.S. House of Representatives.

"This is a very problematic bill that was forced through the Judiciary Committee less than a week ago by the Republican leadership, who refused to allow Democrats to offer changes or debate the bill. I realize that the Leadership would not have liked a lot of our changes, in which case they would have had the freedom to vote against them. But to not even allow debate on a topic of such divergent opinions is a disgrace. We're talking about a bill that includes findings that have no basis in fact or law. A bill that makes sweeping changes to liability, thus cutting off legitimate victims' access to the court system. A bill that rewards certain shoddy gun dealers with the same immunity that it gives to honest manufacturers who have worked diligently to improve their products," said Sánchez.

"Again today a true democratic effort has been thwarted because the Republican Leadership has only permitted Democrats five amendments on the bill. I am offering an amendment today, but my amendment has a much smaller impact than some of the other ones. I think it represents an important change, but I also think there were a whole host of other important changes that could have been made had Republicans not circumvented the democratic process."

"I am shocked by the complete disregard the Republicans have demonstrated for the democratic process. I urge my colleagues on both sides of the aisle to resist this kind of disintegration of our free speech and our democratic process. Otherwise, the democratic ideals our troops are fighting for in the Middle East may as well be meaningless," Sánchez statement.

"My amendment would remove from liability immunity any gun sellers of manufacturers who sell or otherwise give guns or ammunition to someone who uses or is addicted to illegal drugs, or "who has been adjudicated as a mental defective."

"This amendment is basically a small exception to the ban on lawsuits. It would essentially do no more than require gun sellers or manufacturers to obey the law that currently exists which requires background checks. Currently, Section 922 of Title 18 of the U.S. Code establishes that it is unlawful for any person to sell guns or ammunition to someone who uses or is addicted to illegal drugs, or "who has been adjudicated as a mental defective". Later on, the same section makes it illegal for drug users or abusers, or persons with adjudicated mental problems, to ship, possess, or receive guns or ammunition that have been in interstate commerce," Sánchez explained.

"This makes sense. Congress has decided that there are certain people who should not have access to firearms, and these are two of the categories of people who are restricted. Congress further decided that the responsibility for this restriction is on both the seller and the buyer. If the gun sellers and manufacturers are not checking to be sure that they don't sell to people with drug or mental problems, then how can we keep guns out of their hands? That's why the U.S. Code specifically prohibits both the sale and the purchase."

"I am offering this amendment because I want the gun sellers to do the proper background

checks. If they don't, and it turns out that they sold weapons or ammunition to a person in one of these categories, then they should not have the benefit of immunity from the court system."

 "Last fall, when there were suspicions that the Beltway Sniper might have had a mental illness, the House rapidly passed a bill to enforce the already-existing law that requires the FBI to list any person "adjudicated as mentally defective" on the National Instant Criminal Background Check system. H.R. 1036 attempts to make null and void this background check requirement. Without my amendment we could not hold someone liable for putting guns into the wrong hands," concluded Sánchez.